

REMARKS

This paper is filed in response to the Office Action mailed August 25, 2011 (the “Office Action”). Claims 80-90, 92-101, and 103-109 are now pending in this application. The Office Action rejects claims 106-109 under 35 U.S.C. § 112 as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. The Office Action rejects claims 80-90, 92-101, and 103-105 under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent No. 5,742,278 to Chen (hereinafter “Chen”) in view of U.S. Patent No. 6,141,652 to Reeder (hereinafter “Reeder”). The Office Action rejects claims 106-109 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Chen in view of Reeder and further in view of U.S. Patent No 6,148,346 to Hanson (hereinafter “Hanson”).

Applicant has amended claims 80, 92, 95, 103, and 106-109. No new matter is added by these amendments and support may be found in the specification and claims as originally filed. Applicant respectfully traverses each of the rejections and requests reconsideration and allowance of all pending claims in view of the amendments above and the remarks below.

I. Interview Summary

Applicant appreciates the Examiner’s time during the telephonic interview held on October 20, 2011 between Examiner Biagini and Applicant’s representatives John Alemanni and Bryan Foster. During the interview, the parties discussed the pending claims and potential additional subject matter, but no agreement was reached regarding the pending claims.

II. § 112 – Claims 106-109

The Office Action rejects claims 106-109 under 35 U.S.C. § 112 as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Applicant has amended claims 106-109 to recite “wherein the markup references a java applet or an ActiveX control.” Applicant submits that claims 106-109, as amended, particularly points out and distinctly claims the subject matter which Applicant

regards as the invention. Therefore, Applicant respectfully requests that the rejection of claims 106-109 under 35 U.S.C. § 112, second paragraph, be withdrawn.

III. § 103(a) – Chen in view of Reeder – Claims 80-90, 92-101, and 103-105

The Office Action rejects claims 80-90, 92-101, and 103-105 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Chen in view of Reeder. Applicant respectfully traverses the rejection of claims 80-90, 92-101, and 103-105 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Chen in view of Reeder. To establish *prima facie* obviousness of a claimed invention under 35 U.S.C. § 103, the Office Action must show, either from the references themselves or in the knowledge generally available to one of ordinary skill in the art, that the cited references disclose or suggest each claimed element.¹

Because Chen does not disclose or suggest “receiving an input signal from a network, the input signal comprising markup embedded in or referenced by a web page, the markup referencing an embedded force feedback command” or “in response to an interaction with the web page, generating an output signal based on the force feedback command” as recited in amended claim 1, Chen does not disclose or suggest each element of claim 1. The Office alleges that Chen discloses “C program code having embedded force feedback commands in the form of API calls.”² Chen, however, does not disclose or suggest an “input signal comprising markup embedded in or referenced by a web page” as recited in amended claim 1. Furthermore, Chen does not disclose “markup referencing an embedded force feedback command” nor “in response to an interaction with the web page, generating an output signal based on the force feedback command” as recited in amended claim 1. For at least these reasons, Chen does not disclose or suggest each element of claim 1.

Reeder does not cure the deficiencies of Chen. Reeder is directed to “a method and apparatus for operating apparatus (particularly programmable apparatus such as a computer) for value (for example, for rental).”³ The Office introduces Reeder as allegedly disclosing “receiving an input signal with embedded program code from a network.”⁴ Reeder, however, does not disclose or suggest “receiving an input signal from a network, the input signal

¹ See Graham v. John Deere Co., 383 U.S. 1 (1966), KSR Int'l Co. v. Teleflex Inc., 550 U.S. 398 (2007).

² Office Action, pg. 4.

³ Reeder, 1:5-8.

⁴ Office Action, pg. 4.

comprising markup embedded in or referenced by a web page, the markup referencing an embedded force feedback command” nor “in response to an interaction with the web page, generating an output signal based on the force feedback command” as recited in amended claim 1. For at least these reasons, Reeder fails to cure the deficiencies of Chen. Applicant respectfully requests that the rejection of claim 1 under 35 U.S.C. § 103(a) be withdrawn.

Each of claims 92, 95 and 103 recite elements similar to those discussed above with respect to claim 80 and each is patentable over Chen in view of Reeder for at least the same reasons as claim 80. Applicant respectfully requests the Examiner withdraw the rejection of claims 92, 95, and 103. Furthermore, because claims 81-90, 93, 94, 96-101, 104, and 105 each depend from and further limit one of claims 80, 92, 95, or 103, each of claims 81-90, 93, 94, 96-101, 104, and 105 is patentable over Chen in view of Reeder for at least the same reasons. Applicant respectfully requests the Examiner withdraw the rejection of claims 81-90, 93, 94, 96-101, 104, and 105.

IV. § 103(a) – Chen in view of Reeder and further in view of Hanson – Claims 106-109

The Office Action rejects claims 106-109 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Chen in view of Reeder and further in view of U.S. Patent No 6,148,346 to Hanson (hereinafter “Hanson”). Applicant respectfully traverses the rejection of claims 106-109 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Chen in view of Reeder and further in view of Hanson.

As discussed above, Chen in view of Reeder does not disclose or suggest “receiving an input signal from a network, the input signal comprising markup embedded in or referenced by a web page, the markup referencing an embedded force feedback command” or “in response to an interaction with the web page, generating an output signal based on the force feedback command” as recited in amended claim 1. Hanson does not cure the deficiencies of Chen and Reeder. Hanson is directed to a “dynamic device driver that provides communication between various devices and various operating systems across various types of networking system.”⁵ The Office introduces Hanson as allegedly disclosing “a program that controls operation of a peripheral comprising a java applet.”⁶ Hanson, however, does not disclose or suggest “receiving

⁵ Hanson, 1:5-8.

⁶ Office Action, pg. 13.

an input signal from a network, the input signal comprising markup embedded in or referenced by a web page, the markup referencing an embedded force feedback command” nor “in response to an interaction with the web page, generating an output signal based on the force feedback command” as recited in amended claim 1. For at least these reasons, Hanson fails to cure the deficiencies of Chen and Reeder with respect to claim 1.

Each of claims 92, 95 and 103 recite elements similar to those discussed above with respect to claim 80 and each is patentable over Chen in view of Reeder and further in view of Hanson for at least the same reasons as claim 80. Furthermore, because claims 106-109 each depend from and further limit one of claims 106-109, each of claims 106-109 is patentable over Chen in view of Reeder and further in view of Hanson for at least the same reasons. Applicant respectfully requests that the rejection of claims 106-109 under 35 U.S.C. § 103(a) be withdrawn.

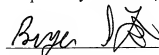
CONCLUSION

Applicant respectfully asserts that in view of the amendments and the remarks above, all pending claims are allowable and Applicant respectfully requests the allowance of all claims. The Commissioner is hereby authorized to charge any fees required by this action to Deposit Account No. 20-1430.

Should the Examiner have any comments, questions, or suggestions of a nature necessary to expedite the prosecution of the application, or to place the case in condition for allowance, the Examiner is courteously requested to telephone the undersigned at the number listed below.

Date: November 22, 2011

Respectfully submitted,



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